

A G E N D A
BOARD OF SHELBY COUNTY COMMISSIONERS
CHARTER FORM OF GOVERNMENT
MAY 9, 2005

1:30 P.M.	COMMISSION CONVENES
CALL TO ORDER	Deputy Sheriff Clayton Maclin
INVOCATION	Dr. Maurice Johnson Memphis Christian Center

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Sessions

MOSS ADOPTED	April 25, 2005
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C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

Ordinances

- | | | |
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| MOSS
APPROVED | 1. | <u>ORDINANCE – SECOND READING</u> – Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners adopting the <u><i>Joint Existing Building Code</i></u> and providing an effective date. |
| MOSS
APPROVED | 2. | <u>ORDINANCE – SECOND READING</u> – Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners amending the <u><i>Joint Building Code</i></u> of Memphis and Shelby County, as adopted by the Shelby County Board of Commissioners in Joint Ordinance No. 244 on August 27, 2001, and by the Council of the City of Memphis in Ordinance No. 4549 on September 4, 2001, so as to make certain changes as hereinafter set out and establish an effective date. |

MOSS
APPROVED

3. **ORDINANCE – SECOND READING** - Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners amending the **Joint Electric Code** of Memphis and Shelby County, as adopted by the Shelby County Board of Commissioners in Ordinance No. 245 on August 27, 2001, and by the Council of the City of Memphis in Ordinance No. 4892 on September 4, 2001, so as to make certain changes as hereinafter set out and providing an effective date.

MOSS
APPROVED

4. **ORDINANCE – SECOND READING** – Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners amending the **Joint Fuel Gas Code** of Memphis and Shelby County, as adopted by the Shelby County Board of Commissioners in Ordinance No. 246 on August 27, 2001, and by the Council of the City of Memphis in Ordinance No. 4889 on September 4, 2001, so as to make certain changes as hereinafter set out and to establish the effective date.

MOSS
APPROVED

5. **ORDINANCE – SECOND READING** - Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners amending the **Joint Mechanical Code** of Memphis and Shelby County, as adopted by the Shelby County Board of Commissioners in Ordinance No. 247 on August 27, 2001, and by the Council of the City of Memphis in Ordinance No. 4891 on September 4, 2001, so as to make certain changes as hereinafter set out and establish an effective date.

MOSS
APPROVED

6. **ORDINANCE – SECOND READING** - Joint Ordinance by the Council of the City of Memphis and by the Shelby County Board of Commissioners amending the **Joint Plumbing Code** of Memphis and Shelby County, as adopted by the Shelby County Board of Commissioners in Ordinance No. 248 on August 27, 2001, and by the Council of the City of Memphis on September 4, 2001, in Ordinance No. 4890, so as to make certain changes as hereinafter set out and providing an effective date.

Zoning and Subdivisions

MOSS
ADOPTED
(A-H)

7. Resolution approving various subdivision contracts, plats, extensions, bond releases, etc. as recommended by the County Engineer.

Reports and/or Resolutions of Standing Committees

KIRK
ADOPTED

8. Resolution amending the FY 2004/2005 Debt Service Fund budget to account for the impact of the General Obligation Refunding Bonds, 2005 Series A.

**KIRK
ADOPTED**

9. Resolution to convey 6,186 square feet of Shelby County Property, along with the grant of a temporary construction easement, to the City of Memphis, without monetary consideration, for the widening and improvement of the intersection of Overton Crossing and Woodlawn Terrace Street.

**KIRK
ADOPTED**

10. Resolution to convey 174 square feet of Shelby County Property, along with the grant of a temporary construction easement, to the City of Memphis, without monetary consideration, for the widening and improvement of the intersection of Overton Crossing and Portland Avenue.

**LILLARD
ADOPTED**

11. Resolution amending the FY 2004/2005 Shelby County Operating Budget for the Public Works Environmental Improvement Commission as per Exhibit A to facilitate use of unexpended Tire Recycling Grant Fund 724 proceeds in the amount of \$145,137.00 from Tennessee Department of Environment and Conservation.

**LILLARD
ADOPTED**

12. Resolution amending the FY 2004/2005 CIP Budget to amend the local share of funds for the Big Creek Feasibility Study in FY2004/05 budget for CIP Project Number 100158, Big Creek Millington.

**LILLARD
ADOPTED**

13. Resolution authorizing the Shelby County Division of Public Works to apply for a Roadside Litter Grant.

**AVERY
ADOPTED**

14. Resolution to approve a contract between the Memphis and Shelby County Health Department and the Tennessee Department of Health in the amount of \$1,904,900.00 for HIV/AIDS/STD prevention and surveillance services between January 1, 2005 and December 31, 2005, and amending the FY 2004/2005 Operating Budget and amending the FY 2004/2005 Position Control Budget to add one (1) new position.

**AVERY
ADOPTED**

15. Resolution to approve a contract between the Memphis and Shelby County Health Department and the Tennessee Department of Health in the amount of \$217,800.00 for HIV/AIDS Case Management Services for the period April 1, 2005 to March 31, 2006, and to amend the FY 2004/2005 Operating Budget and the FY 2004/2005 Position Control Budget.

**AVERY
ADOPTED**

16. Resolution requesting approval to amend the Memphis and Shelby County Health Department FY 2004/2005 Operating Budget and FY 2004/2005 Position Control Budget and to appropriate funds in the amount of \$15,328.00 carried forward from FY 2003/2004 in the HIV/AIDS Case Management Program.

**AVERY
ADOPTED**

17. Resolution to approve a contract between the Memphis and Shelby County Health Department and the Tennessee Department of Health in the amount of \$628,400.00 for the provision of TennCare Outreach for enrolled children for the period of January 1, 2005 – June 30, 2005, and amending the FY 2004/2005 Operating Budget and amending the FY 2004/2005 Position Control Budget to add forty one (41) positions.

**THOMPSON
ADOPTED**

18. Resolution approving expenditure of funds by Homeland Security Department FY 2004/2005 Operating Budget in the amount of \$75,610.88 to Homer Skelton Ford for the purchase of two 4x4 SUV command vehicles with special equipment for the Shelby County Fire Department.

**THOMPSON
ADOPTED**

19. Resolution amending the FY 2004/2005 Operating Budget of the Juvenile Court in order to correctly account for the court appointed Special Advocate State Supplemental Grant.

**THOMPSON
ADOPTED**

20. Resolution amending the FY 2004/2005 Operating Budget of the Juvenile Court in order to correctly account for the Child and Family Intervention Grant.

**THOMPSON
ADOPTED**

21. Resolution amending the FY 2004/2005 Shelby County Operating Budget for the Memphis and Shelby County Juvenile Court as per Exhibit A to facilitate use of unexpended Juvenile Accountability Block Grant Fund 290 proceeds in the amount of \$16,394.00 from Tennessee Commission on Children and Youth (TCCY), State of Tennessee and to facilitate expenditure of local matching funds in the amount of \$1,822.00.

**WILLINGHAM
ADOPTED**

22. Resolution supporting the efforts of the Memphis Belle Memorial Association to provide for the aircraft's long term care, display, and restoration in Memphis and Shelby County, Tennessee.

**LOEFFEL
ADOPTED**

23. A joint resolution of the County of Shelby and the City of Memphis, Tennessee, to approve the transfer of 21.95 acres of land located at the southwest corner of Chimneyrock Boulevard and Dexter Road, owned by Shelby County, for the use and benefit of the Shelby County Conservation Board, to the City of Memphis, without monetary consideration, for its continued development, operation and maintenance of Countrywood Park.

**THOMPSON
ADOPTED**

CONSENT AGENDA

REGULAR AGENDA

Elections, Appointments, and Confirmations

**FORD
(DEFERRED
TO 05/23/05)**

24. Resolution approving the county mayor’s nomination of Dawn W. Kinard, E. Scott Fleming, Eugene Pearson “Gene” Gibson, Jr., and Marvin H. Palmer, Sr. for reappointment to the Memphis and Shelby County *Land Use Control Board*.

Ordinances

Zoning and Subdivisions

Reports and/or Resolutions for Standing Committees

Announcements/Statements

25. Notification from County Mayor of various appointments/reappointments to Boards, Commissions, and offices of Shelby County Government.
- a. Resolution approving the County Mayor's nomination of William M. Mitchell for reappointment to the Memphis and Shelby County *Land Use Control Board*.

Adjournment

**WILLINGHAM
ADOPTED**

26. Resolution of Adjournment to May 23, 2005, at 1:30 p.m.

AGENDA # 7
MAY 9, 2005

7A

SUBDIVISION: BUCKINGHAM FARMS P.D., PHASE 21, PART OF PARCELS H AND D (P.D. 95-310 CC)

DEVELOPER: BUCKINGHAM FARMS, L.L.C.

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO BUCKINGHAM FARMS P.D., PHASE 21, PART OF PARCELS H AND D (P.D. 95-310 CC)

LOCATION: EAST SIDE OF FUTURE MEADOWVALE DRIVE EXTENDING FROM 900 FEET TO 4,000 FEET NORTH OF SHELBY DRIVE

7B

SUBDIVISION: CARLYLE PLACE II P.D. (P.D. 03-365 CC)

DEVELOPER: HYNEMAN-CHRISTIAN DEVELOPMENT, L.L.C.

ACTION: RESOLUTION TO APPROVE ASSUMPTION ASSIGNMENT AGREEMENT FOR TRANSFER OF CONTRACT FOR CARLYLE PLACE II P.D. (P.D. 03-365 CC) FROM RUSCO TO HYNEMAN-CHRISTIAN DEVELOPMENT, L.L.C.

LOCATION: WEST SIDE OF PISGAH ROAD; +2,150 FEET SOUTH OF LATTING ROAD

7C

SUBDIVISION: GILLETT P.D. (GLENN ABBEY SUBDIVISION) (P.D. 91-321 CC)

DEVELOPER: ASHLEY GLENN, L.L.C.

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO GILLETT P.D. (GLENN ABBEY SUBDIVISION) (P.D. 91-321 CC)

LOCATION: SOUTH SIDE OF MACON ROAD, 1,561 FEET EAST OF RALEIGH LAGRANGE ROAD

7D

SUBDIVISION: HACKS CROSSING P.D., SECOND AMENDMENT, PHASE 7 (P.D. 04-340 CC)

DEVELOPER: HACKS CROSS PARTNERS, G.P.

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO THE HACKS CROSSING P.D., SECOND AMENDMENT, PHASE 7 (P.D. 04-340 CC) AND AUTHORIZE RECORDING OF THE PLAT

LOCATION: SOUTHWEST CORNER OF HACKS CROSS ROAD AND SHELBY DRIVE

AGENDA # 7
MAY 9, 2005

7E

SUBDIVISION: RIGGINS HILL P.D., SECOND AMENDMENT, PHASE 1 (P.D. 00-303 CC)

DEVELOPER: CLAIR D. VANDERSCHAAF

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO RIGGINS HILL P.D., SECOND AMENDMENT, PHASE 1 (P.D. 00-303 CC)

LOCATION: SOUTH SIDE OF U.S. HIGHWAY 64; +566.9 FEET EAST OF THE WEST LINE OF HOUSTON LEVEE ROAD

7F

SUBDIVISION: ROCKYFORD SUBDIVISION, SECOND ADDITION, PHASE 2 (S 97-027 CO)

DEVELOPER: STEVE ETHRIDGE DEVELOPMENT COMPANY

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO ROCKYFORD SUBDIVISION, SECOND ADDITION, PHASE 2 (S 97-027 CO) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

LOCATION: NORTHERN TERMINUS OF ROCKYFORD/KIRBY WHITTEN ROAD; BEGINNING 48.12 FEET NORTH OF RANER CREEK VIEW

7G

SUBDIVISION: ROYAL OAKS P.D., PHASE 4, AMENDED (P.D. 02-319 CC)

DEVELOPER: BEAZER HOMES CORP.

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO ROYAL OAKS P.D., PHASE 4, AMENDED (P.D. 02-319 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

LOCATION: +/- 2,765 FEET SOUTH OF BOLEN HUSE ROAD AND 2,765 FEET WEST OF SINGLETON PARKWAY

AGENDA # 7
MAY 9, 2005

7H

SUBDIVISION: **WOODLAND HILLS II P.D., PHASE 1 (P.D. 04-343 CC)**

DEVELOPER: **COASTAL FUELS, INC.**

ACTION: **RESOLUTION TO APPROVE THE AGREEMENT TO SECURE
THE IMPROVEMENTS TO WOODLAND HILLS II P.D., PHASE 1
(P.D. 04-343 CC) AND AUTHORIZE THE RECORDING OF THE
PLAT WHEN BONDING PROCEDURES HAVE BEEN
FULFILLED**

LOCATION: **NORTH SIDE OF WALNUT GROVE ROAD; +2,540 FEET WEST
OF HOUSTON LEVEE ROAD**

[For questions regarding the Agenda, please call Steve Summerall at 545-4301.]